

**IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF OKLAHOMA**

JIMMIE BROWN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CIV-21-549-D
	)	
BECKHAM COUNTY DETENTION	)	
CENTER, <i>et al.</i> ,	)	
	)	
Defendants.	)	

**ORDER**

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Suzanne Mitchell pursuant to 28 U.S.C. § 636(b)(1)(B) and (C). Judge Mitchell recommends the dismissal of this action without prejudice due to Plaintiff's failure to pay the initial partial filing fee of \$31.85, as previously ordered.<sup>1</sup>

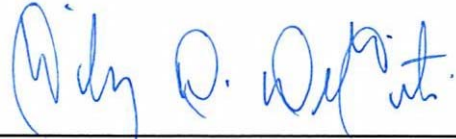
The case file shows no timely objection or request for an extension of time, even though Plaintiff was expressly informed of his right to object, the procedure for doing so, and the firm waiver rule. Therefore, the Court finds that Plaintiff has waived further review of the issues addressed in the Report. *See Moore v. United States*, 950 F.2d 656, 659 (10th Cir. 1991); *see also United States v. 2121 E. 30th St.*, 73 F.3d 1057, 1060 (10th Cir. 1996). Further, for the reasons stated by Judge Mitchell, the Court finds that this action should be dismissed without prejudice.

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<sup>1</sup> See Order of June 23, 2021 [Doc. No. 9].

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 10] is ADOPTED. This action is DISMISSED without prejudice to refiling. A separate judgment of dismissal shall be entered.

IT IS SO ORDERED this 30<sup>th</sup> day of August, 2021.



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TIMOTHY D. DeGIUSTI  
Chief United States District Judge